

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

JOSHUA JACKSON RIDEOUT,

Plaintiff,

VS.

ERIC HOLDER,

Defendant.

Cause No. 1:09CV82 LMB

MOTION TO DISMISS

COMES NOW Assistant United States Attorney Thomas C. Albus on behalf of defendant Eric Holder and moves for the dismissal of the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Defendant Eric Holder alleges that each cause of action stated in Plaintiff's petition is either contrary to the law, not applicable to him or that Plaintiff is without standing to assert it, and should be dismissed with prejudice. Defendant Eric Holder adopts and incorporates by reference the memorandum in support of the Motion to Dismiss filed on August 11, 2009 on behalf of Defendant Michael W. Reap [Doc #30].

Respectfully submitted,

MICHAEL W. REAP
Acting United States Attorney
/s/ Thomas C. Albus
Thomas C. Albus, #96250
Assistant United States Attorney

I certify a true copy of the foregoing was transmitted by mail upon plaintiff Joshua Rideout at his place of confinement by U.S. Mail and electronically upon all other counsel of record to this proceeding this 21st day of August, 2009.

/s/ Thomas C. Albus